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New Jersey State Board of Physical Therapy Examiners
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NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

PUBLIC SESSION MINUTES

October 27, 2015

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A regular meeting of the New Jersey State Board of Physical Therapy Examiners was held at 124 Halsey Street, Newark, New Jersey, in the Somerset Conference Room, 6th Floor, on Tuesday October 27, 2015. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. **Beth Sarfaty, Chairperson of the Board**, called the meeting to order at 9:30 A.M. and a roll call was taken and the following attendance was recorded:

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|----------------------------|---------|
| BARBARA J. BEHRENS, P.T.A. | Present |
| DAVID BERTONE, P.T. | Present |
| JEAN BICKAL, ESQ | Present |
| NANCY KIRSCH, P.T. | Present |
| CINDY MOORE, P.T. | Present |
| BETH SARFATY, P.T. | Present |
| RICHARD STONEKING, P.T. | Present |
| KAREN WILK, P.T. | Present |

Also present were: **Carmen Rodriguez, Deputy Attorney General; Lisa Tadeo, Executive Director; Michela Ross, Government Rep**

Members of the public: Cathy Chin, representative of Select Medical; Jessica Fulmino, PT and David Gluck

PUBLIC COMMENT

I. APPROVAL OF THE MINUTES OF SEPTEMBER 22, 2015 BOARD MEETING

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to accept the minutes of the September 22, 2015 Board meeting as amended. A vote was taken and the motion carried by a unanimous vote.

II. NEW BUSINESS

A. Continuing Education Course Reviewers' Recommendations

Nancy Kirsch recused herself as she is employed by Rutgers.

The Board reviewed the recommendations of the course reviewers at Rutgers, The State University of New Jersey, for continuing education courses submitted by sponsors for the Board's approval. A motion was made by Jean Bickal and seconded by David Bertone to accept the course reviewer's recommendations as presented. The 57 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. Seven courses were denied, as they did not meet all the requirements set forth in N.J.A.C. 13:39A-9 et. seq. A vote was taken and the motion carried by a unanimous vote.

B. Letter from Elaine Waksman, PT
RE: Continuing Education

Ms. Waksman informed the Board that she did not complete all of the 30 continuing education credits required for the reactivation of her license. Ms. Waksman asked the Board to reactivate her license prior to the completion of the required continuing education credits. Ms. Waksman asked the Board to grant her an extension to complete the continuing education credits.

A motion was made by Nancy Kirsch and seconded by David Bertone to reactivate Ms. Waksman's license upon receipt of a copy of the verification that she passed the Jurisprudence Assessment Module. The Board will grant her an extension to complete the required continuing education credits by January 31, 2016. A vote was taken and the motion carried by a unanimous vote.

C. Letter from Patricia Watson, PT
RE: Continuing Education

Ms. Watson informed the Board that the Federation of State Boards of Physical Therapy (FSBPT) charged her \$48.00 to take the Jurisprudence Assessment Module in September of 2015 and has recently reduced the price to \$40.00. Ms. Watson asked the FSBPT for an \$8.00 refund as she would have taken the Jurisprudence Assessment Module later if she knew the fee was going to be reduced.

A motion was made by Barbara J. Behrens and seconded by Jean Bickal to write to the FSBPT and advise them that the Board would like to have knowledge of any cost change in advance. People may delay taking the Jurisprudence Assessment Module until the last minute waiting for a better price. A vote was taken and the motion carried by a unanimous vote.

D. Inquiry from Ashley Mak, PT
RE: Scope of Practice

Ms. Mak wrote the Board concerning educating individuals who have purchased or are paying to use electrical modalities. Ms. Mak inquired how a physical therapist would document the education of an electrical stimulation unit if the individual is not necessarily injured.

A motion was made by David Bertone and seconded by Cindy Moore to inform Ms. Mak that the physical therapist would need to adhere to the documentation requirements such as performing an evaluation and developing a plan of care. A vote was taken and the motion carried by a unanimous vote.

- E. Inquiry from Karen J. Acquaviva, PTA
RE: Scope of Practice

Ms. Acquaviva inquired whether a physical therapist assistant is allowed to perform screens.

A motion was made by Barbara J. Behrens and seconded by Nancy Kirsch to request that Ms. Acquaviva define "screens". The Board needs more detailed information in order to answer her questions. A vote was taken and the motion carried by a unanimous vote.

- F. Letter from Kathleen V. Referente
RE: National Physical Therapy Exam
Appeal Form

Ms. Referente informed the Board that she has taken the National Physical Therapy Examination (NPTE) eight times and has not achieved a passing score. The Federation of State Boards of Physical Therapy will not allow her to register for the January, 2016 exam as she has taken the exam more than six times. Ms. Referente provided the Board with a completed NPTE appeal form and asked that she be allowed to take the NPTE again.

A motion was made by Nancy Kirsch and seconded by Richard Stoneking to request that Ms. Referente provide the Board with a detailed written explanation of what she has done since the last time she took the exam to prepare for the January, 2016 NPTE and why she believes that she would accomplish a different outcome in January. A vote was taken and the motion carried by a unanimous vote.

- G. Inquiry from Mark Cornwell, PTA
RE: Scope of Practice

Mr. Cornwell inquired whether physical therapist assistants can perform joint mobilization.

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens that physical therapist assistants can perform joint mobilizations provided they are trained and competent in the technique and are supervised by a physical therapist. A physical therapist is prohibited from delegating the evaluation of the patient to the physical therapist assistant. The delegation of this procedure may not be appropriate if a patient requires continual evaluation. A vote was taken and the motion carried by a unanimous vote.

- H. New Jersey State Board of Physical Therapy Examiners November 24, 2015
and December 22, 2015 Board Meetings

A motion was made by Nancy Kirsch and seconded by Jean Bickal to cancel the New Jersey State Board of Physical Therapy Examiners November 24, 2015 Board Meeting due to a lack of a quorum. The Board will also reschedule its December 22, 2015 to December 8, 2015. A vote was taken and the motion carried by a unanimous vote.

III. OLD BUSINESS

A. Cross Country Education

RE: Course, "Learn to Move, Move to Learn: Evidence-Based Neuroscience Foundations in Sensory Processing Disorder"

Cross Country Education wrote the Board concerning its denial of the course, "Learn to Move, Move to Learn: Evidence-Based Neuroscience Foundations in Sensory Processing Disorder" as the course submission did not include new or current neuroscience evidence to support the interventions for the treatment of sensory processing disorder. Cross Country Education provided an updated bibliography for this course.

A motion was made by Barbara J. Behrens and seconded by Jean Bickal to approve the course, "Learn to Move, Move to Learn: Evidence-Based Neuroscience Foundations in Sensory Processing Disorder" as it now meets the requirements set forth in N.J.A.C. 13:39A-9 et seq. A vote was taken and the motion carried by a unanimous vote.

B. Cross Country Education

RE: Course, "Assessing & Treating Today's Athletes: Get Faster Results with Evidence-Based Protocols for the Injuries You See Most - On Demand"

Cross Country Education wrote the Board concerning its denial of the course, "Assessing & Treating Today's Athletes: Get Faster Results with Evidence-Based Protocols for the Injuries You See Most - On Demand" as the course did not present new and/or advanced knowledge for licensed physical therapists. Cross Country Education provided the Board will additional information.

A motion was made by Barbara J. Behrens and seconded by Karen Wilk to approve the course, "Assessing & Treating Today's Athletes: Get Faster Results with Evidence-Based Protocols for the Injuries You See Most - On Demand" as it now meets the requirements set forth in N.J.A.C. 13:39A-9 et seq. A vote was taken and the motion carried by a unanimous vote.

C. Discussion with Charles Manning, Regulatory Analyst

RE: N.J.A.C. 13:39A-2.2(e)1 and 2

A committee of the Physical Therapy Board met with the Executive committee of the Board of Medical Examiners concerning the Board's draft additional language for N.J.A.C. 13:39A-2.2(e)1 and 2 specifically concerning when it would be appropriate for a physical therapist to conduct a breast examination and/or a pelvic internal examination.

Charles Manning, Regulatory Analyst informed the Board that during the review process, the draft additional language for N.J.A.C. 13:39A-2.2(e) 1 and 2 was not approved, therefore, the promulgation process for this change has ceased.

IV. FOR YOUR INFORMATION

A. New Jersey Jurisprudence Assessment Module Statistic Report

The Board reviewed the New Jersey Jurisprudence Assessment Module and considered it informational.

B. Interim Consent Order filed September 22, 2015
RE: Michael J. Marchese , PT

The Board considered the Consent Order filed September 22, 2015 in the matter of Michael J. Marchese, PT. informational.

C. Federation of State Boards of Physical Therapy Annual Meeting

The Board members who attended the annual meeting of the FSBPT provided a verbal report of some of the highlights of the meeting.

Upon a motion made by Nancy Kirsch and seconded by Barbara J. Behrens, the Board voted to go into Executive Session to discuss the following matters involving investigations of violations of the Board's enabling act, the Uniform Enforcement Act and/or Board regulations.

1. Five matters filed with the Board, which require review and additional recommendations with regard to investigations and/or actions.
2. Five matters where additional information has been submitted to the Board concerning pending investigations.

APPLICATIONS APPROVED BY THE BOARD

1. Pankti Mehta
2. Maia Pacubas
3. Navsharan Khabra
4. Ritu Haresh Vyas
5. Jyothsna Jonnalagadda
6. Madri Patel
7. Neha Sehgal
8. Xavier Dimaranan
9. Mahezabin Shaikh
10. Jose Viana
11. Shylasri Thanigaivelu
12. Muneera Dahodwala
13. Krunal Bhatt
14. Akanksha Dwivedi

APPLICATIONS NOT APPROVED BY THE BOARD

1. Natalia Pierwola-Gawin
2. Diana Ursu
3. Jongil Jo

ADJOURNMENT

The Board returned to Public Session and a motion was made by David Bertone and seconded by Cindy Moore to adjourn the meeting at 1:30 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Lisa Tadeo
Executive Director